

Julia Questions:

1. Name/age/residence/cohabitants
2. Daughter--Madeline "Maddy" Kramer
  - A. DOB (1/20/13)/good health?
3. JPA--4/24/14
  - A. Joint custody;
  - B. Parenting time--every other weekend, every other Thursday
  - C. Also provides that the parties may, by written agreement, alter the time during which one or the other party has physical possession, correct?
  - D. Did you understand that the JPA states that you should provide Madeline to her father every other weekend? And you agreed to this, correct?
  - E. Do you believe the JPA requires you to provide Madeline to her father, even if she is in physical or emotional danger?
  - F. Do you believe Madeline is in danger when having unsupervised visitation with father? What danger is that?
    - i. Fear of sexual abuse?
    - ii. Other issues? Physical abuse?
    - iii. Concerns for his ability to care for the child? Drug use?
    - iv. For these reasons, you believe withholding visitation is in Madeline's best interests?
4. You signed the JPA on 4/24/14. Had abuse been occurring prior to then?
  - A. What dates did you and Mr. Kramer live together? (Until 2/20/13?).
  - B. (If yes) Why, then did you decide to sign the JPA?
  - C. Was the order followed?
5. After 4/24/14

- A. Did Mr. Kramer exercise his overnight visitation every other weekend? For how long? How many times?
  - B. Did any of these visitations proceed without incident? (Approx. 3?)
  - C. Where did Mr. Kramer live at the time? When did he first move out?
6. Describe first visit--second visit, etc. until we get to the one where he was smoking marijuana (Approx 5/22/14?)
- A. At which location did they happen?
  - B. Invited into home--nobody else present. Child asleep?
  - C. Smelled marijuana strongly--unknown whether she confronted him at that time.
  - D. What happened next? You took the child home? Had the child stayed even 1 night?
7. Talked to him about marijuana around the child previously? After that too?
- A. When? How many times?
  - B. What was said? Come to any resolution regarding him watching the child while smoking marijuana?
  - C. You previously talked to him about it being too expensive? About it affecting his ability to become employed? About him risking arrest?
  - D. Ever find marijuana? Before/after JPA? What did you do with it?
  - E. Is he current on child support? When was the last time you received it?
8. Another later visit with girl coming over (when? 7/14?)
- A. Where was it? What happened? (Girl was there?)
  - B. Was Madeline asleep? Why did you come over?
  - C. Had you been introduced to this person? Had Kevin ever offered? Did you know this person?
  - D. Why was this a problem for you?
  - E. At the time, what issues did you have with Kevin's lifestyle?

9. During this time, were you aware as to whether Kevin was allowing the child to be babysat by his parents?
- A. Had you had issues with the way in which Kevin's parents cared for the child?
  - B. What in particular? Have an issue with Kevin's mother's method of changing diapers?
    - i. When had you observed this?
    - ii. When and where did you confront Kevin about it?
    - iii. What was the content of that conversation? What was the resolution?
    - iv. Did Kevin say he'd confronted her? What did he say she said?
  - C. Prior to his parents babysitting the child, were you offered the opportunity to babysit the child?
    - i. That is the terms of the JPA, correct? Did you ever discuss this with Kevin?
10. For the last unsupervised visit that Kevin had (When?), did you discuss whether his parents were going to babysit?
- A. Did he promise they would not?
  - B. Were you made aware that they did?
  - C. Offered chance to babysit yourself?
  - D. What communications occurred between you and Kevin that night? How did it end?
11. After that visitation, did you notice anything unusual about Maddy?
- A. Physical--redness, swelling, enlarged vaginal opening, discharge;
  - B. Behavior--disruptive/unusual sexual behavior.
12. Did you take the child to a physician?
- A. 8/27/13--OSF Ottawa



- i. Why? What symptoms? What did you tell them?
- ii. Was Maddy able to be examined?
- iii. What were you told? What were you told by them?

13. Afterwards--Agreement of 10/16/15 (Enter Exhibit 1)

A. Did you have a conversation with Kevin prior to signing this document?  
Why did you initiate this contact?

- i. When? Where? Who was present?
- ii. What was said?

B. Go through and discuss some provisions:

- i. P.2, #2, #3; P.3 #5, #6; P.4 #1, #2, #3
- ii. Why did you want to include this provision?
- iii. What did you discuss with Kevin about this provision?
- iv. Did you watch him initial?
- v. Did you watch him sign? Is that your signature?

14. After the 10/16/15 agreement, you took the child to Perry E.R. on 11/8/13, correct?

- A. Why not return to OSF Ottawa?
- B. Why? What symptoms? What did you tell them?
- C. Was Maddy able to be examined?
- D. What were you told? What were you told by them?

15. Again to Perry Memorial E.R. on 11/18/13.

- A. Why? What symptoms? What did you tell them?
- B. Was Maddy able to be examined?

- C. What were you told? What were you told by them?
16. What is happening with visitation at this time between 10/16/14 and March/April 2015? (X-Mas eve party--anything else?)
17. 1/27/15--Mendota Medical Center (Kevin stayed night at Julia's dad's and watched the child).
- A. Was he left alone with the child, to your knowledge?
- B. Why not return to Perry?
- C. Why? What symptoms? (Swollen clitoris/yeast infection) What did you tell them?
- D. Was Maddy able to be examined?
- E. What were you told? What were you told by them?
18. Do you recall additional visitation between 1/27/15 and 2/12/15, when you took the child to OSF Peoria?
- A. (If no) Why not?
- B. Why take her there? What symptoms? What did you tell them?
- C. Was Maddy able to be examined?
- D. What were you told? What were you told by them?
19. Do you recall additional visitation between 2/12/15 and 3/15/15, when you took the child to Edward's Hospital?
- A. (If no) Why not?
- B. Why take her there? What symptoms? (enlarged vaginal opening, visible penetration, anal tearing and bleeding) What did you tell them?
- C. Was Maddy able to be examined?
- D. What were you told? What were you told by them?
- E. We tried to subpoena Dr. Rangala, correct? No return contact.
20. Despite these instances, you have tried to offer supervised visitation, correct?

- A. Do you believe that in healthy circumstances, a father figure is important in Maddy's life?
  - B. How many times since January, 2015?
21. Visitation regarding incident at Kevin's home (When did this happen?)
- A. Circumstances--started in park, started to rain, ended up at Kevin's place;
  - B. Put child on lap; put his hands on the child; she was afraid to look away;
  - C. He tried to hold her out of view
    - i. She previously asked him to stay where she could see him;
    - ii. Rubbing the child's crotch;
    - iii. She said "you don't need your hand's there"--confronted him;
      - a. What was said?
      - b. Discuss how to hold the child?
      - c. She said "so this is why she is showing signs..."
      - d. He said "So, you making a big deal about it is the problem"  
--What did you take that to mean?
22. Visitation in the park;
- A. Approx 3/19/15
  - B. She left quick, returned and saw him.
  - C. About 20 feet away:
    - i. He had taken her pants off, letting the child touch his crotch.
23. OP
- A. Go through facts in addendum.

Argument:

- 1. The pertinent question is whether Julia is in willful contempt of court.



- A. If what Julia says is true, if this is more than a "all smoke, no fire" situation, then she is certainly not in contempt.
- B. If she believes it to be true, can we really blame her? There is enough evidence here such that reasonable minds can differ. This is what she was presented with, and continues to be presented with.
  - i. Symptoms after each contact;
  - ii. Symptoms after overnight contact at her father's;
  - iii. Witnessed incidents;
  - iv. Discussions and admissions of the father;
  - v. Agreement confirming there to be issues, and confirming the issue of the mother's care of the child by the fact that the diaper provision was entered;
  - vi. These cases are hard to prove. A 2-year old cannot properly communicate the way we do, obviously. However, these facts confirm that there is a bona fide suspicion, that there should be further investigation, and that Julia is doing what she believes is necessary to protect the child.
- C. Even if the court believes my client to be patently incorrect and unreasonable, there are still mitigating issues here:
  - i. The agreed contract is valid, and prohibits overnight visitation without agreement. It further prohibits contact with Kevin's parents.
  - ii. Father has demonstrated an inability to abide by the parties JPA. This issue over Kevin's parents would not be before the court if he just offered her the option to babysit like he is supposed to.  
--Instead he lies to Julia, ignores her calls, and does it anyways.

2. It is clear Julia is proceeding in good faith. She believes her child has been abused, and has diligently sought treatment from a competent source. She has here invested significant time and effort into showing the court what she knows, to demonstrate that the parties are not ready for unsupervised contact to commence.

3. As for the OP, this is not an emergency OP. That she waited to file is not as important a fact in this situation. She was threatened with harm, has been harassed, and subject to hostile conduct.